

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WILMINGTON DIVISION

IN RE:	)	
	)	
WAYNE BAILEY, INC.,	)	CASE NO.: 18-00284-5-SWH
	)	Chapter 11
Debtor	)	
_____	)	

**RESPONSE TO THE COURT'S ORDER SETTING HEARING AND  
RESPONSE DEADLINE ON DEBTOR'S ACCOUNTING OF FUNDS [DE 776]**

Millstream Farming, LLC ("Millstream"), by and through its undersigned counsel, hereby responds to the Court's Order Setting Hearing and Response Deadline on Debtor's Accounting of Funds entered on January 3, 2019 [DE 776] (the "Order"). In support of this Response, Millstream shows unto the Court as follows:

1. The Debtor's First Amended Plan of Reorganization, as modified, was orally confirmed by the Court in open court at the confirmation hearing conducted on September 6, 2018. A written Order Confirming First Amended Plan of Reorganization was entered on October 2, 2018. The Effective Date of the Plan was October 3, 2018.

2. The \$14,400.00 paid to Millstream was in payment of \$14,400.00 in packed sweet potatoes sold and delivered by Millstream to the Debtor on September 28, 2018 in the ordinary course of business of both Millstream and the Debtor.

3. Pursuant to Article V, Section A, of the confirmed Plan: "The Debtor shall continue its existing operations until the Effective Date of the Plan."

4. Payment for the sweet potatoes was proper.

This the 14th day of January, 2019.

/s/ Luther D. Starling, Jr.

Luther D. Starling Jr.

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing **RESPONSE TO THE COURT'S ORDER SETTING HEARING AND RESPONSE DEADLINE ON DEBTOR'S ACCOUNTING OF FUNDS [DE 776]** was filed electronically in accordance with the local rules and was therefore served electronically on those entities that have properly registered for such electronic service. Entities not registered for electronic service have been served by depositing a copy thereof in the United States mail, postage pre-paid:

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*Served via CM/ECF*

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This the 14th day of January, 2019.

/s/ J. Michael Fields  
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